

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

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COMMISSION

In the Matter of:

APPLICATION OF NEW CINGULAR WIRELESS PCS, LLC )  
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO CONSTRUCT )  
A WIRELESS COMMUNICATIONS FACILITY AT )CASE: 2009-00114  
251 BABE BOLEN DRIVE, GARRETT )  
KNOTT COUNTY, KENTUCKY, 41630 )

SITE NAME: BOLYN (252G0125)

**APPLICATION FOR CERTIFICATE  
OF PUBLIC CONVENIENCE AND NECESSITY  
TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY**

\*\*\*\*\*

**Supplemental Documentation**

Please find enclosed hereto approvals issued by the FAA and the KAZC for the above referenced wireless telecommunications facility.

Respectfully submitted,



Todd R. Briggs  
Briggs Law Office, PSC  
1301 Clear Springs Trace  
Suite 205  
Louisville, KY 40223  
Telephone 502-412-9222  
Counsel for New Cingular Wireless PCS, LLC

Bolyn



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Steven Beshear  
Governor

**KENTUCKY AIRPORT ZONING COMMISSION**

90 Airport Road, Bldg 400  
FRANKFORT, KY  
www.transportation.ky.gov/aviation  
502 564-4480

June 9, 2009

APPROVAL OF APPLICATION

APPLICANT:  
A T & T MOBILITY LLC  
MS LISA GLASS  
5310 MARYLAND WAY  
BRENTWOOD, TN 37027

SUBJECT: AS-060-PBX-2009-030

STRUCTURE: Antenna Tower  
LOCATION: Garrett, KY  
COORDINATES: 37° 27' 14.03" N / 82° 53' 21.06" W  
HEIGHT: 310' AGL/1946'AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct 310' AGL/ 1946'AMSL Antenna Tower near Garrett, KY 37° 27' 14.03" N / 82° 53' 21.06" W.

This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit.

A copy of the approved application is enclosed for your files.

Dual Obstruction Lighting is required.

A handwritten signature in black ink, appearing to read "John Houlihan".

John Houlihan  
Administrator



An Equal Opportunity Employer M/F/D



**KENTUCKY AIRPORT ZONING COMMISSION**

Steven Beshear  
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**CONSTRUCTION/ALTERATION STATUS REPORT**

June 9, 2009

AERONAUTICAL STUDY NUMBER: AS-060-PBX-2009-030

A T & T MOBILITY LLC  
MS LISA GLASS  
601 CHESTNUT|1 EAST  
LOUISVILLE, KY 40203

This concerns the permit which was issued to you by the Kentucky Airport Zoning Commission on June 9, 2009. This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within the said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit. When appropriate, please indicate the status of the project in the place below and return this letter to John Houlihan, Administrator, Kentucky Airport Zoning Commission, 90 Airport Road, Bldg 400, FRANKFORT, KY, 40601. 502 564-4480.

STRUCTURE: Antenna Tower  
LOCATION: Garrett, KY  
COORDINATES: 37° 27' 14.03" N / 82° 53' 21.06" W  
HEIGHT: 310' AGL /1946' AMSL

**CONSTRUCTION/ALTERATION STATUS**

1. The project ( ) is abandoned. ( ) is not abandoned.

2. Construction status is as follows:

Structure reached its greatest height of \_\_\_\_\_ ft. AGL  
\_\_\_\_\_ ft. AMSL on \_\_\_\_\_ (date).

Date construction was completed. \_\_\_\_\_

Type of obstruction marking/painting. \_\_\_\_\_

Type of obstruction lighting. \_\_\_\_\_

As built coordinates. \_\_\_\_\_

Miscellaneous Information. \_\_\_\_\_

DATE \_\_\_\_\_

SIGNATURE/TITLE \_\_\_\_\_



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Kentucky Transportation Cabinet, Kentucky Airport Zoning Commission, 90 Airport Road, Frankfort KY 40601

Kentucky Aeronautical Study Number

APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE

AS-060-PBX-09-030

INSTRUCTIONS INCLUDED

1. APPLICANT -- Name, Address, Telephone, Fax, etc.
AT&T Wireless
Attn: Lisa Glass
5310 Maryland Way
Brentwood, TN 37027
(615) 221-3583

9. Latitude: 37 ° 27 ' 14 03 "
10. Longitude: 82 ° 53 ' 21 06 "

11. Datum: [X] NAD83 [ ] NAD27 [ ] Other

12. Nearest Kentucky City: Garrett County Knott

13. Nearest Kentucky public use or Military airport:
Pike County-Hatcher Field

14. Distance from #13 to Structure: 16.09 NM/97,748 feet

15. Direction from #13 to Structure: Southwest

16. Site Elevation (AMSL): 1636 Feet

17. Total Structure Height (AGL): 310 Feet

18. Overall Height (#16 + #17) (AMSL): 1946 Feet

19. Previous FAA and/or Kentucky Aeronautical Study Number(s):
N/A

20. Description of Location: (Attach USGS 7.5 minute Quadrangle Map or an Airport layout Drawing with the precise site marked and any certified survey)

See attached airspace study

2. Representative of Applicant -- Name, Address, Telephone, Fax
MPM, Inc. Attn: Roy Johnson
3605 Mattingly Road
Buckner, KY 40010
(502) 222-4256

3. Application for: [X] New Construction [ ] Alteration [ ] Existing

4. Duration: [X] Permanent [ ] Temporary (Months \_\_\_\_\_ Days \_\_\_\_\_)

5. Work Schedule: Start TBD End \_\_\_\_\_

6. Type: [X] Antenna Tower [ ] Crane [ ] Building [ ] Power Line
[ ] Landfill [ ] Water Tank [ ] Other

7. Marking/Painting and/or Lighting Preferred:

[ ] Red Lights and Paint [X] Dual - Red & Medium Intensity White
[ ] White - Medium Intensity [ ] Dual - Red & High Intensity White
[ ] White - High Intensity [ ] Other

Faa filed concurrently

8. FAA Aeronautical Study Number

21. Description of Proposal:
Telecommunications Tower
Site Name: Bolyn

22. Has a "NOTICE OF CONSTRUCTION OR ALTERATION" (FAA Form 7460-1) been filed with the Federal Aviation Administration?
[ ] No [X] Yes, When Filed Concurrently

CERTIFICATION: I hereby certify that all the above statements made by me are true, complete and correct to the best of my knowledge and belief.

Roy Johnson - Owner MPM [Signature] 02/26/2009
Printed Name and Title Signature Date

PENALTIES: Persons failing to comply with Kentucky Revised Statutes (KRS 183.861 through 183.990) and Kentucky Administrative Regulations (602 KAR 050:Series) are liable for fines and/or imprisonment as set forth in KRS 183.980(3). Non-compliance with Federal Aviation Administration Regulations may result in further penalties.

Commission Action:

[ ] Chairman, KAZC [X] Administrator, KAZC

[X] Approved
[ ] Disapproved

[Signature]

Date: 6-9-09

Bolyn



Federal Aviation Administration  
Air Traffic Airspace Branch, ASW-520  
2601 Meacham Blvd.  
Fort Worth, TX 76137-0520

Aeronautical Study No.  
2009-ASO-850-OE

Issued Date: 04/30/2009

AT&T Mobility (GD)  
Muayyad Mustafa (south)  
5601 Legacy Drive, ms A-3  
Plano, TX 75024

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**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower Bolyn  
Location: Garrett, KY  
Latitude: 37-27-14.02N NAD 83  
Longitude: 82-53-21.06W  
Heights: 310 feet above ground level (AGL)  
1947 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, a med-dual system - Chapters 4,8(M-Dual),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)  
 Within 5 days after the construction reaches its greatest height (7460-2, Part II)

This determination expires on 10/30/2010 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847) 294 8084. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-ASO-850-OE.

**Signature Control No: 620035-109266055**

( DNE )

Carole Bernacchi  
Technician

Attachment(s)  
Frequency Data

**Frequency Data for ASN 2009-ASO-850-OE**

<b>LOW FREQUENCY</b>	<b>HIGH FREQUENCY</b>	<b>FREQUENCY UNIT</b>	<b>ERP</b>	<b>ERP UNIT</b>
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W